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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/618,480

07/11/2003

Arvind Kumar

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EXAMINER

ISMAIL, SHAWKI SAIIF

ART UNIT

PAPER NUMBER

2155

MAIL DATE

DELIVERY MODE

06/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/618,480	Applicant(s) KUMAR, ARVIND	
	Examiner SHAWKI S. ISMAIL	Art Unit 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED OFFICE ACTION

1. This communication is responsive to the amendment received on December 28, 2007.

Claims 1, 7-8 and 14-15 have been amended.

Claims 1-22 are pending further examination

The New Grounds of Rejection

2. Applicant's amendment and arguments received on December 28, 007 have been fully considered, however, they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1-22 is rejected under 35 U.S.C. 103(a) as being unpatentable over **McCormick et al.**, (hereinafter referred to as McCormick) U.S. Patent No. **6,421,709** in view of **Horvitz et al.**, (Hereinafter referred to as Horvitz) U.S. Patent Publication No. **2050132006 A1**.

5. As to claim 1, McCormick teaches a method of configuring automatic responses to incoming email messages, comprising:

enabling configuration of a plurality of automatic responses, each of the plurality of automatic responses tailored for a type of the incoming email messages (refer to Fig. 1, col. 7, lines 55-67, filtering emails that are included in a specific filter list) ;

examining the incoming email messages to determine the type (col. 7, lines 55-67, incoming email is examined); and

responding to the incoming email messages with one of the plurality of automatic responses, the one of the plurality of automatic responses selected according to the type of the incoming email message (col. 7, lines 55-67, incoming email is compared to a set of filters and processing the email based on the rule associated with the filter or passing the email to the user's inbox for immediate retrieval.)

Although McCormick teaches automatic response to email messages, McCormick does not explicitly teach wherein the automatic response are in the form of email messages.

However, Horvitz teaches automatic responses in the form of email messages that are sent to the sender from the recipient's machine to notify the sender of the status of the recipient (refer to Fig. 2 and 14, paragraph 77).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Horvitz into the invention of McCormick in order to automatically send email response messages to the sender. This will enable the sender to be aware of the status of the recipient and get a better idea when to expect a response from the recipient.

6. As to claim 2, McCormick teaches the method according to Claim 1 wherein examining the incoming email messages further comprises flagging the email messages according to the type (col. 4, lines 14-46).

7. As to claim 3, McCormick teaches the method according to Claim 1 wherein the type includes a plurality of internal mail types (col. 4, lines 14-46).

8. As to claim 4, McCormick teaches the method according to Claim 1 wherein the type includes one of an internal mail type and an external mail type (col. 4, lines 14-46).

9. As to claim 5, McCormick teaches the method according to Claim 4 wherein the external mail type comprises at least one of a plurality of defined domains (col. 4, lines 14-46).

10. As to claim 6, McCormick teaches the method according to Claim 4 wherein the internal mail type comprises at least one of a plurality of defined internal organizations (col. 4, lines 14-46).

11. As to claim 7, McCormick teaches the method according to Claim 1 wherein enabling configuration of the plurality of automated responses further comprises enabling users to configure the plurality of automated responses via a user interface (col. 4, lines 12-16).

12. Claims 8-22 do not teach or define any new limitation above claims 1-7; therefore, they are rejected for similar reasons.

13. Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Response to Arguments

Applicants' arguments with respect to claims 1-22 have been fully considered however they are deemed to be moot in view of the new ground(s) of rejection.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Shawki S Ismail/
Examiner, Art Unit 2155
June 7, 2008

/saleh najjar/

Supervisory Patent Examiner, Art Unit 2155